

I. REMARKS

A. Examiner Interview Summary

Applicant interviewed the Examiner by telephone on 3/24/2004.

1. Exhibits & Demonstrations

Applicant did not present any exhibits or conduct any demonstrations.

2. Claims Discussed

Claims 12, 13, and 17 were discussed.

3. Substance of Interview

Applicant submitted a draft of proposed amendments responsive to the communication mailed 1/29/2004. The office communication rejected claims under 35 U.S.C. § 101 and § 112, but did not include rejections based on any prior art. Consequently, the interview did not include any discussion of specific prior art. The Examiner indicated, though, that the proposed claims appeared more likely to satisfy the requirements of § 101. Applicant requested the Examiner to identify any language in the proposed claims that might hinder the advancement of the application. In response, the Examiner indicated that the words "iterating" and "narrowing" in proposed claim 12 might need clarification.

B. Drawings

The Examiner stated that the formal drawings previously filed were misplaced, and asked Applicant to provide another set of formal drawings. A copy of the formal drawings that were submitted on April 1, 2001 are attached.

The drawings also have been amended to correct informalities. No new matter is incorporated into these amendments. The changes made to the drawings are:

- a. The label on sheet 4/8 has been changed from "Fig. 1" to "Fig. 4."
- b. "INSTALATION" was changed to "INSTALLATION" in box 430 on sheet 4/8.
- c. Duplicate "SUBCLASS" in box 440 on sheet 4/8 was deleted.
- d. "OGNORE" in box 650 on sheet 6/8 was changed to "IGNORE."

Accordingly, a replacement sheet of drawings is attached.

C. Claim Objections

The Examiner objected to informalities in claims 12 and 15. Applicant has amended these claims to overcome the Examiner's rejection.

D. Claim Rejections – 35 U.S.C. § 101

The Examiner rejected claims 12-21 under 35 U.S.C. § 101 as being directed to non-statutory subject matter, and stated that the claims recited an abstract idea without any practical application.

Applicant has amended these claims to include details that produce a "useful, concrete, and tangible result." (Office Action of 01/29/2004 (citing *AT&T Corp. v. Excel Communications, Inc.*, 172 F.3d 1352 (Fed. Cir. 1999); *State Street Bank & Trust Co. v. Signature Financial Group, Inc.*, 149 F.3d 1368 (Fed. Cir. 1998).) Applicant respectfully requests the Examiner to reconsider and withdraw the § 101 rejections in light of the amendments to the claims.

E. Claim Rejections – 35 U.S.C. § 112

The Examiner also rejected claims 12-21 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter that Applicant regards as the invention.

In particular, the Examiner rejected claims 13-21 for having insufficient antecedent basis for limitations in the claims. Applicant has amended these claims to overcome the Examiner's rejections.

The Examiner also rejected claim 12 as being incomplete. Applicant has amended claim 12 to overcome the Examiner's rejection.

F. Discussion of Amended and New Claims

Claim 12. Applicant has amended the preamble to claim 12 to recite the purpose of using a FinderHelper (FH) class. The FH class, as stated in the detailed description of the preferred embodiment, "builds a corresponding Java Enumeration of EJB objects that meet the conditions of the [OOSQL] query." The support for this amendment is found in the specification on page 17, lines 4-7. Applicant has further combined the "delegating" and "iterating (first)" steps in Claim 12 into a single "executing" step. The act of "executing" a query is well understood in the art, and includes the delegating, invoking, and iterating steps described in the detailed description on page 17, line 22 thru page 18, line 8. Applicant has amended the "adding", "converting", and "narrowing" steps to provide a more definite statement of the claim. These amendments are likewise well-supported in the description (see p. 18 lines 9-11 ("adding" step), p. 18 lines 12-14 ("converting" step), p. 19 lines 2-6 ("narrowing" step). During an interview, as discussed above, the Examiner indicated reservations about the use of the term "narrowing" in this claim, but

Applicant believes that this term is adequately supported in the description and best describes the nature of this step.

Claim 14. Applicant has amended claim 14 as needed to depend properly on amended claim 12. Applicant has also amended claim 14 to recite and claim an embodiment of the invention that uses a Managed Object Framework (MOFW). This amendment is supported in the description on page 7, line 17 through page 8, line 3.

Claim 15. Applicant has amended claim 15 as needed to depend properly on amended claim 14. Applicant also has eliminated the recitation of calling the extendedEvaluate() method and incorporated this feature into new claim 24.

Claim 18. Applicant has amended claim 18 as needed to depend properly on claim 12.

Claim 21. Applicant has amended claim 21 as needed to depend properly on claim 12.

Claim 24. Applicant has added new claim 24 to capture the feature eliminated from claim 15, as discussed above.

Claim 25. Applicant has added new claim 24 to claim an embodiment of the invention where the underlying application server supports the Common Object Request Broker Architecture (CORBA), as discussed on page 7 line 15 through page 8 line 3 of the specification.

Claim 26. Applicant has added new claim 26 to claim an embodiment of the invention that converts CORBA data objects to EJB objects, as discussed throughout the specification. (See, e.g., p. 7 line 15 through page 8 line 3; p. 16 line 22 through p. 17 line 19.)

Claims 27-35. Applicant has added new claims 27-35 to claim apparatus and article of manufacture versions of the disclosed invention.



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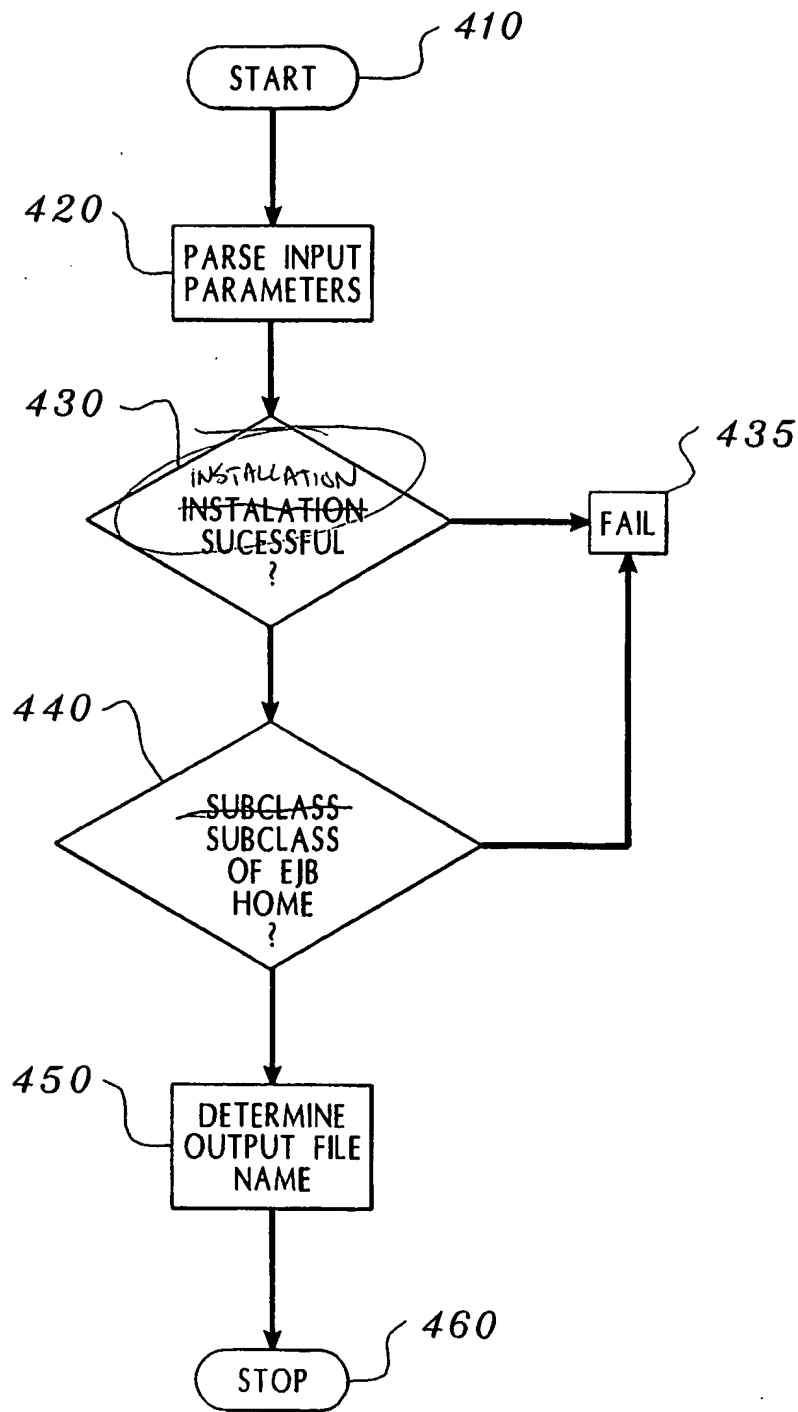


Fig. 14



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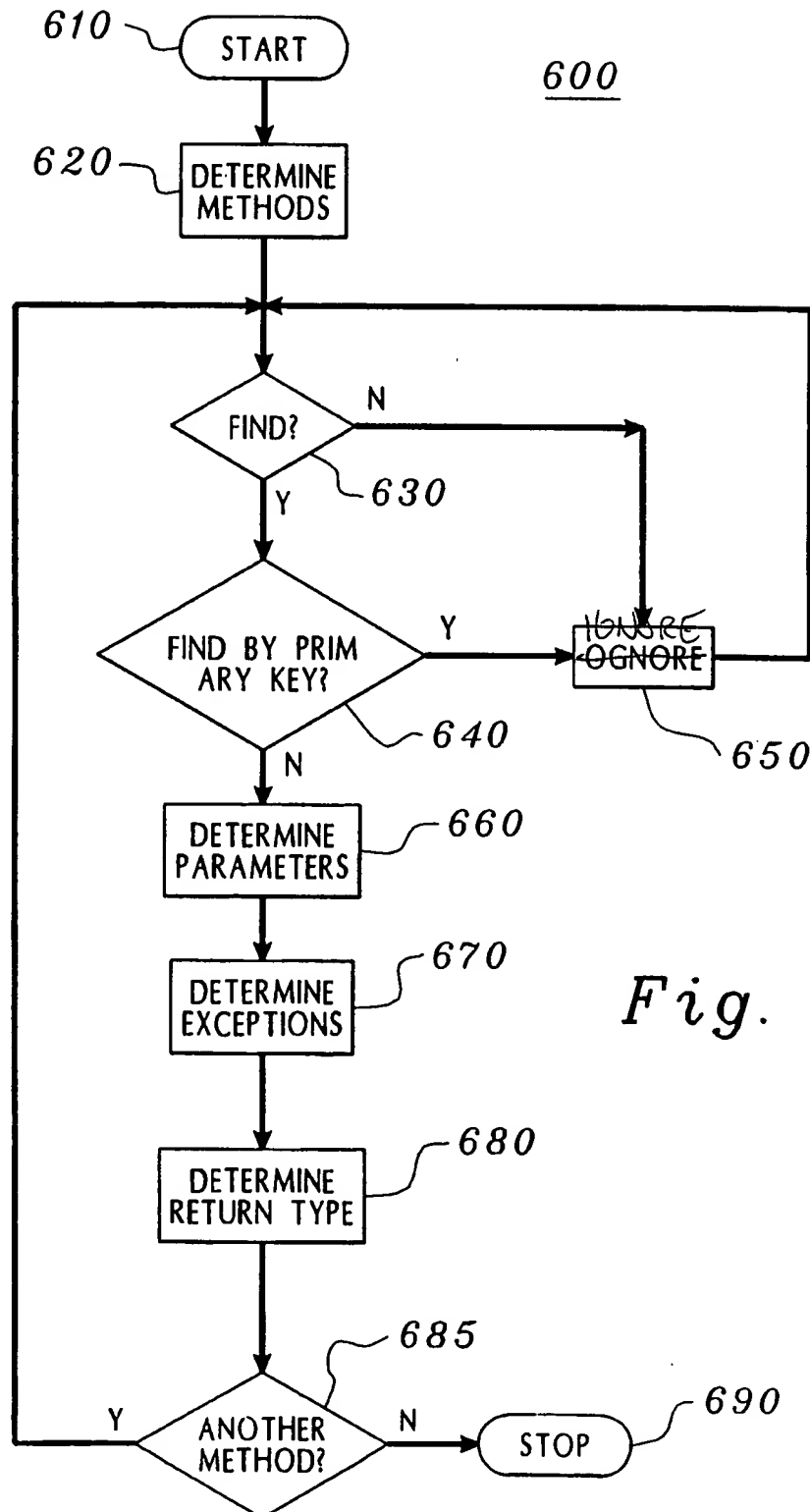


Fig. 6